



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Due 2 months

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/941,947	08/29/2001	Patricia C. Brzostowicz	CL1903 US NA

CONFIRMATION NO. 6363

23906

NR
E I DU PONT DE NEMOURS AND COMPANY
LEGAL DEPARTMENT - PATENTS
1007 MARKET STREET
WILMINGTON, DE 19898
#4

RECEIVED

OCT 24 2001

PATENT RECORDS
CENTER

FORMALITIES LETTER



OC00000006928234

DJM OCT 24 2001

Date Mailed: 10/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$540.
 - \$540 for 30 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1380.**

01/29/2002 MBERHE 00000072 041928 09941947
01 FC:101 740.00 CH
02 FC:105 130.00 CH
03 FC:103 540.00 CH

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Please type a plus sign (+) inside this box → ☐

PTO/SB/21(08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/941,947
Filing Date	AUGUST 29, 2001
First Named Inventor	BRZOSTOWICZ ET AL.
Group Art Unit	1645
Examiner Name	UNKNOWN
Attorney Docket Number	CL1903 US NA

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) 14 sheets <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney - 8 SHEETS <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): DECLARATION UNDER 37 CFR 1.821 W/ SEQUENCE LISTING, COMPUTER READABLE COPY, DECLARATION 37 CFR 1.821, COPY OF ORIGINAL FEE TRANSMITTAL W/ POSTAL RECEIPT CARD
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

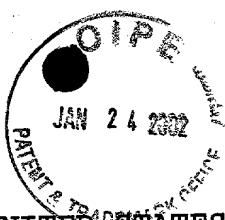
Firm or Individual name	S. NEIL FELTHAM
Signature	
Date	DECEMBER 17, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: **DECEMBER 17, 2001**

Typed or printed name	MARY BETH PITCHER		
Signature		Date	DECEMBER 17, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

BRZOSTOWICZ ET AL.

CASE NO.: CL1903 US NA

APPLICATION NO.: 09/941,947

GROUP ART UNIT: 1645

FILED: AUGUST 29, 2001

EXAMINER: UNKNOWN

FOR: CAROTENOID PRODUCTION FROM A
SINGLE CARBON SUBSTRATE**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION-FILING DATE GRANTED**Assistant Commissioner for Patents
Washington, DC 20231

Attention: Box Missing Parts

Sir:

This responds to the Notice to File Missing Parts of Application mailed October 18, 2001 (a copy of which is attached).

The Notice indicates the following parts are missing:

- (i) The statutory fee
- (ii) The Declaration
- (iii) Formal drawings
- (iv) A corrected Sequence listing.

Enclosed is a Declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company).

Enclosed are formal drawings under separate cover.

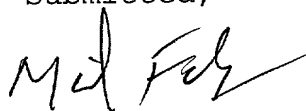
Enclosed is a corrected sequence listing under separate cover.

Applicants have submitted a Fee Transmittal Form at the time of filing of the application on August 29, 2001, authorizing payment of the statutory fee against Deposit Account 04-1928. A copy of this transmittal accompanies this response. Additionally, a copy of the Post Card returned by the

Office indicating that the Fee Transmittal Form had been received as of the filing date is also enclosed. Applicants are of the opinion that the Statutory Fee has been paid, and are not submitting a new Fee Transmittal Form at this time to avoid paying the fee twice.

If any fee required to comply with this Notice of Missing Parts is insufficient or incorrect, please charge or credit the balance to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company).

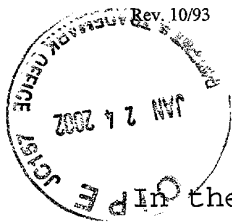
Respectfully submitted,



S. NEIL FELTHAM
ATTORNEY FOR APPLICANTS
REGISTRATION NO.36,506
TELEPHONE: 302-992-6460
FACSIMILE: 302-892-7949

Dated: 12/17/01

ENCLOSURE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

BRZOSTOWICZ ET AL.

CASE NO.: CL1903 US NA

APPLICATION NO.: 09/941,947

GROUP ART UNIT: 1645

FILED: AUGUST 29, 2001

EXAMINER: UNKNOWN

FOR: CAROTENOID PRODUCTION FROM A # 6
SINGLE CARBON SUBSTRATE

DECLARATION IN ACCORDANCE WITH 37 CFR 1.821

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and (e), respectively are the same.

I hereby state that the computer readable copy of the Sequence Listing, submitted in accordance with 37 CFR 1.821(e) herein does not include new matter.

Respectfully submitted,

S. NEIL FELTHAM
ATTORNEY FOR APPLICANT
REGISTRATION NO. 36,506
TELEPHONE: 302-992-6460
FACSIMILE: 302-992-5374

Dated:

12/12/01

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/941,947
Filing Date	AUGUST 29, 2001
First Named Inventor	BRZOSTOWICZ ET AL.
Examiner Name	UNKNOWN
Group / Art Unit	1645
Attorney Docket No.	CL1903 US NA

TOTAL AMOUNT OF PAYMENT (\$) 130**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

04-1928

Deposit
Account
Name

E. I. du Pont de Nemours and Company

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17
-
- ☐
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other
FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20	0	18	0
3	0	84	0
		280	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	375	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130)**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	S NEIL FELTHAM	Registration No. Attorney/Agent	36, 506	Telephone	302-992-6460
Signature				Date	12/17/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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